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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

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SAMUEL A. ASHLEY, JR.,

Petitioner,

Case No. 1:04-CV#689

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Criminal No. 1:02-CR-22

Chief U.S. District Judge Beckwith

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UNITED STATES OF AMERICA,

Respondent.

NOTICE OF APPEAL

Now comes the petitioner, Samuel A Ashley Jr., pro se, who respectfully appeals the District Court's denial of the motion under Title 28 U.S.C. \$2255 to vacate, set aside or correct a sentence, in a 40 page memorandum and order dated January 9, 2006.

RESPECTFULLY SUBMITTED

Samuel A Ashley Jr. #40656-061 Federal Prison Camp P.O. Box 6000 Ashland KY 41105-6000

CERTIFICATION

I do hereby certify that a copy of this notice has been sent to Asst. U.S. Attorney Gary Clayfor at 221 E. Fourth St. Suite 400 Cincinnati OH 45202 on this 20th day of January 2006.